

SAYS PACKERS HAD PRICE EXCHANGE

Witness Tells How "Rival" Firms Co-operated in Boston and This City.

MADE WEEKLY REPORT

[SPECIAL DESPATCH TO THE HERALD.] CHICAGO, Ill., Friday.—How local managers of the various Chicago packers worked together in New York and Boston, making daily exchange of information which competitors for a market usually keep as jealously guarded secrets, was described to-day in the packers' trial for criminal violation of the Sherman Anti-Trust law.

United States Senator Walter S. Kenyon elicited from Everett G. Dill, who was assistant manager for the National Packing Company at Boston and for a short time in New York about 1905, the most important testimony that has been brought out as to the alleged continuance of the selling method of the old pool after the national company was formed.

Mr. Dill testified that while he was at Boston the branch house managers for Morris, Swift and Armour reported to him as branch managers for the National company the amount of their sales for the day and the amount above the test cost price at which the meat was sold. This information he sent to the Chicago office of the National company every day by telegraph, he said. Each week, he declared, he sent by mail a report of total sales and selling prices of meat in Boston made by the four branch houses. The same procedure was followed, he testified, during the time he was stationed at New York.

The witness also said he made a daily tour of inspection of the coolers of the York, Swift and Armour branches in Boston, as well as those of the National company.

Mr. Dill testified that each week he was informed from Chicago of the amount of meat to be shipped to him the week following. He also was instructed as to the margin he was expected to make on selling this shipment, he said. The margin, he explained, was the difference between the test cost and the selling price. He sold the meat at a price high enough to make more than the specified margin if he could, he said, but if he sold under the stated amount there generally would be trouble, according to his testimony.

In sending his daily reports of the sales and margins made by his own and the other branch houses Mr. Dill said he designated the different packing houses by letters "A," representing Armour & Co., "B," the National company, "C," Morris & Co. and "D," Swift & Co., he said.

Shipments to This City.

Mr. Dill said there were ten independent packers selling meat in Boston in 1905 and 1906. He said that the selling of cattle for the Jewish trade and said Swift & Co. and the National Packing Company had special departments to supply this trade, receiving two cents a pound more for the meat than for that from beefs slaughtered in the regular way.

He said that in 1908 the four big Chicago packers sold 5,000,000 pounds of beef a week in New York city, divided as follows:—Armour & Co., 1,200,000 pounds; Swift & Co., 1,000,000 pounds; Morris & Co., 800,000 pounds; and the National Packing Company, 2,000,000 pounds.

The witness estimated that eighty per cent of the fresh meat supplied to New York was shipped by Armour & Co., Swift & Co., Morris & Co., the National Packing Company, Cudahy & Co. and the Schwarzschild & Sulzberger Company.

Allowances for By-Products. Several thousand original memoranda cost sheets for beef used by Armour & Co. at its South Omaha plant between March and September, 1910, were introduced in evidence by the government.

They are the first original data dealing with the actual figuring of the beef cost under the period covered by the indictment unearthed in the trial, and show the allowances made for by-products by the test cost system. This system, the government declares, was used by the packers as the basis of fixing prices.

The sheets were produced by Edward J. McAdam, office manager at the South Omaha plant of Armour & Co. Mr. McAdam identified a letter from the Chicago office of Armour & Co., dated July 11, 1910, giving a list of allowances to be made for by-products in figuring the memorandum test cost of beef. It allowed \$2.50 a head for hides, 35 cents a head for offal, 3 cents a pound for fat and 3 cents a pound for livers.

SENTEGE SLAYER

BOUNDED CHAINS

Drastic Action Required to Prevent Wife Murderer from Killing Himself in Court.

Bound hand and foot so as to prevent a struggle in the court room, Joseph Ferrone, convicted recently on a charge of murdering his wife, was carried before Judge Warren W. Foster, in the Court of General Sessions, yesterday in the arms of two court attendants and was then sentenced to die in the electric chair during the week beginning February 23.

As Ferrone was being carried to the bar to hear his doom he spat in the face of a policeman who was sitting near the entrance to the prison pen. During the whole proceeding, however, Ferrone did not utter a word. As sentence was pronounced he only blinked his eyes and nodded his head.

When Ferrone was found guilty on Tuesday night he created a sensation in the court room by first attempting to assault one of the jurors who convicted him and then trying to commit suicide by cutting his throat with a piece of glass which he had concealed in his hand. He cut a long gash in the left side of his throat.

As the fetters were taken from his hands for a few seconds yesterday before he was sentenced he made an effort to commit suicide by tearing the bandage from his throat. He was carried to Sing Sing last night, the officers finding a piece of sharp tin in his pocket.

"Chance" in the name of Joseph Conrad's nearest novel, written especially for the SUNDAY NEW YORK HERALD. It is a story that all women will like. First chapters to-morrow.

Young Bancroft Kissed Her in Cab, Says Munich Girl

Emma Dollinger, Brought from Germany for Divorce Trial, Testifies He Grew Over Bold, but Plaintiff Denies Ever Meeting Her.

TAKING OF TESTIMONY COMES TO AN END

[SPECIAL DESPATCH TO THE HERALD.]

WILMINGTON, Del., Friday.—For the greater part of an hour, Miss Emma Dollinger, chief witness for the defense in the divorce suit of John Bancroft, Jr., against Mrs. Madeleine du Pont Bancroft, to-day faced Mr. Bancroft and withstood the cross-examination of his attorneys, standing by the affidavit she made in Munich last year, prior to being brought to this country.

Her story caused such great interest that all the municipal officials, nearly every attorney in town and as many of the privileged ones in town as could gain entrance to the Superior Court were on hand from ten o'clock in the morning. Taking of testimony ended with to-day's witnesses.

With smiling countenance Miss Dollinger told her story quietly, and when asked whether Mr. Bancroft was the man who had accosted her when she was standing near a shop window in Munich she said naively:

"Yes, I am certain that is the man."

Mr. Bancroft for the first time during the young woman's testimony looked up, and his eyes were quickly averted after meeting the dark brown eyes of Miss Dollinger. Mrs. Bancroft, Sr., was not in court. She had been able to listen to the testimony for her son and had heard the epithets to her daughter-in-law read. But it was said when it came time for the story of the German woman to be told she decided not to be present.

Miss Dollinger, who was followed from the station by a crowd and who evaded attempts of photographers to snap her by putting a newspaper before her face, began her story by telling the court that she was a secretary in the employ of the German General of Municipal Buildings in Munich.

Tells of Taxicab Ride.

With head bent low and graceful gestures, she said she was standing in front of a store window in Munich in February, 1910, when she noticed a young man pass her. He also stopped to look in a window a little further on the street. Miss Dollinger asserted that she again looked at the young American and then turned away. It was then, she declared, that the young man says she was Mr. Bancroft made a detour and came to the store window where she was standing and spoke to her.

Miss Dollinger, who gave her age as twenty-three, smilingly asserted that the well dressed young man asked her to go for an automobile ride with him. At first, she declared, she said she could not, as she was on her way home. However, Miss Dollinger testified, she finally accepted the invitation of the young American and he hailed a taxicab. Miss Dollinger was then told to go to some place and Miss Dollinger said she suddenly felt the man's arms around her.

"Then he kissed me passionately," said the young woman in German. Her testimony was translated, sentence by sentence, by Dr. Marion T. Larned, of Pennsylvania University. The young woman then went on to say that Mr. Bancroft grew too bold, and that she could not stand the ride with him. She had opened the door. Nevertheless, Miss Dollinger admitted that she had made an appointment to Mr. Bancroft again. "But I did not go," declared the witness.

Mr. Bancroft's head hung low all the time the witness was on the stand, but she gazed steadfastly at him, and was evidently amused when her eyes finally did meet his.

She said on cross-examination that she had heard by a taxi cab, the driver seeing a photograph of the young man shortly after she met Max Heibler, who is named as co-defendant in the divorce action. She met Heibler, she said, through the German student's mother, in July last. She again said she was positive the young man in the courtroom was the same person with whom she had the exciting adventure in the taxicab. J. Harvey McAdam, the government's chief witness, attempted to break down the young woman's story, but she adhered to every detail of it, declaring her innocence of any wrongdoing since the time she encountered Mr. Bancroft.

Crowds Watch Witness.

The plaintiff seemed much relieved when Miss Dollinger was sworn in. From the stand, she testified in the latter part of the morning session and in the first part of the afternoon. When she left the court house there was a throng of employees and others interested in the case who followed her to the steps. She laughed behind her newspaper and leaned on the arm of Arthur Buchholz, who undertook to

"Oh, east is east and west is west, And never the twain shall meet 'Till"—Kipling.

The difference between east and west was illustrated to the satisfaction of even a Kipling in the United States District Court yesterday, where George Graham Rice, Bernard H. Scheffels and others are on trial before Judge Ray on a charge of using the mails to defraud.

"Tex" Ricard, promoter of the Johnson-Jeffries and Gans-Nelson fights, was describing his occupations on the witness stand. Judge Ray suddenly leaned forward and ejaculated:—

"What! Did you say you ran gambling houses?"

"Yes, sir," said the witness, who proceeded calmly with the information that he "promoted fights, ran hotels and owned gambling houses." Judge Ray appeared bewildered.

Ricard later explained that his gambling house was an open house in Nevada and that it was licensed by the State.

Ricard was put on the witness stand by Rice, who wanted to show by the properties of the Elly Central Copper Company, one of the mining companies whose stocks were sold by B. R. Scheffels & Co., had all the value they had been represented to have. Ricard testified that he had made B. H. Scheffels & Co. an offer of \$2 a share for the control of Elly Central. He said that he made the offer on behalf of John D. Ryan, of the Associated Copper Company.

Ricard leaves this morning for Paraguar, where he says he has purchased a million acres of land for cattle raising.

Headless of the pleas of the jurors who returned the verdict of guilty in the case of Wyman Oakley, of No. 219 West Sixty-third street, Judge Rosakly in the Court of General Sessions yesterday, sentenced Oakley to serve six months in the penitentiary. He had been convicted of assault. The jurors asked that he be given a suspended sentence on account of the poverty stricken condition of his family. After sentence had been imposed a collection was taken up of more than \$100 for Mrs. Oakley.

When Oakley was called to the Bar for sentence his wife and four children, the oldest eight and the youngest a little more than one year, appeared to ask for mercy. Daniel Kimball, a probation officer, reported that Oakley's previous reputation had been good and that he had always provided for his family.

"We desire to ask for mercy in this case," said one of the jurors who convicted Oakley. "If this man is sent to a penal institution it will mean perhaps that a happy family will be broken up. This seems to be eminently a case where a suspended sentence should be given."

"The complainant in this case," said Judge Rosakly, "was disgraced for life by the cut he received. I must send this defendant to prison. But I will contribute \$25 to a fund for the benefit of this man's family."

The jurors responded promptly. Mr. Kimball took charge of the money and will give it to Mrs. Oakley whenever it is needed.

Unable to Explain Why She Took Five Kimonos from Counter.

A well dressed woman, who gave her name as Mrs. Elizabeth Booth, but admitted she was fictitious, was arraigned yesterday in Special Sessions on a charge of taking five kimonos from a department store.

"My husband is a travelling salesman," she sobbed, "and he supplies me with whatever money I need. This is the first time I have ever done anything wrong. I didn't need the kimonos and I don't know why I took them."

The woman was remanded to the Tombs pending further investigation.

WOLF REPORT IN HIS FIFTY-SEVEN HOME

Justice Gerard Opens Special Term, Part 6, Among Louis XVI. Surroundings.

ATTENDANTS IN LIVERY

"Louis XVI. Had It All Over Tweed for Court Rooms," Said Astonished Witness.

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Frederick A. Cleveland, chairman of the Economy Commission, declared to-night that if its recommendation is adopted it will mean an annual saving to the government of approximately \$1,000,000 a year without robbing it of any of the functions it now enjoys.

Not Needed Now, Says Mr. Cleveland. There are twenty-six craft in the revenue cutter service. The recommendation of the Economy Commission does not necessarily contemplate the immediate sale of any of the vessels, although many of them may be disposed of "departmentally" if the suggestion to abolish the service is approved by Congress.

"The revenue cutter service was created to meet a situation which disappeared long ago," said Mr. Cleveland to-night. "Its original aim was to suppress slave trade and to catch smugglers—that is, smugglers who worked in cargo ships. These gentlemen of fortune do not exist in any large quantities at the present time and such patrol work as needs to be done can be performed by other craft already in the service of the government."

"It has resulted that the revenue cutter service has grown into an independent military service. It is military in character, but its duties are almost entirely civil. It helps the customs service, the immigration service, the fishery service and the inspection service, performing fifty or sixty functions, hardly any of which are strictly speaking, military."

"In other words, it performs many duties which strictly belong to other departments and which could be disposed of at half the present cost."

Costs Government \$2,500,000.

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The engineers' department of the War Department, the Department of Commerce and Labor, the Lighthouse service and the life saving service are, in the opinion of the Economy Commission, duplicated much of the work now being done by the revenue cutter service. Mr. Cleveland sees no reason, for instance, why the Lighthouse service or the life saving service could not perform the duty of guarding the coast from the Florida Islands, in Alaska. The Department of Commerce and Labor has vessels in various harbors which could easily look for the matters which now engross the attention of the revenue cutters.

"The deep sea service could be taken over by the navy," Mr. Cleveland said. "It already has vessels which could look after the blowing up of derelicts and go to the assistance of ships in distress. If more craft were needed the Navy Department could take over some of the ships now running in the revenue cutter service."

Has Rendered Valuable Service. "The government would thereby do away with the expense of maintaining and operating the latter fleet and the duplication of service and expense would be reduced. In other words, the functions which now constitute an independent service, in the judgment of the commission, be partitioned out among other departments."

The revenue cutter service has rendered valuable aid in every naval war. In time of peace its value is illustrated by the fact that during the decade ended June 30, 1910, the service had saved 412 lives from drowning and assisted 1,459 vessels in distress, the value of which with cargo totaled \$53,713,774. All this and far more less spectacular duty for an expenditure of \$2,500,000 a year, or less than \$20,000,000. During the three weeks of bad weather on the Atlantic just prior to January 16 the revenue cutters gave assistance to thirty-nine distressed vessels, having on board more than three hundred persons.

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mittee on Interstate and Foreign Commerce, said:—

"The proposal of the President's Economy Commission to abolish the Revenue Cutter Service is ridiculous, ludicrous. No such proposition will ever come out of this committee. If there were any chance of the thing being done it would be by the repeal of the law."

Why, I would rather abolish half of the navy and set the army to work building roads, as the Romans did, than do away with the revenue cutters. They have fought in every war in which this country has engaged. They have acquitted themselves as well as the army or the navy—sometimes better."

"We democrats believe in economy, but not the kind of economy the President seems to want—not the kind that cripples the government service. We are against waste and corruption, but we are willing to spend every dollar that is just and necessary to maintain the proper activities of the government."

"I have already indicated what I think of the service. I have introduced a bill that is now pending before the committee on Interstate and Foreign Commerce providing for the abolition of four new revenue cutters, one a steam cutter for the coast of California, to cost \$350,000; one for the Gulf of Mexico, to cost \$250,000; one for the coast of Maine, to cost \$250,000; and one for anchorage patrol in New York Harbor, to cost \$100,000."

The indignation in shipping circles which followed President Taft's declaration on Thursday last that a saving of \$2,500,000 could be effected by the abolition of the revenue cutter service was but a ripple to the feeling expressed on the Maritime Exchange yesterday. The statements of prominent shipping men which were printed in the Herald were regarded as the property of the shipping men, but had failed to appear among the members of the Maritime Exchange.

The petition, which will be signed by every member before it goes to Washington to the President, reads:—

"The Maritime Association of the Port of New York, representing in its membership practically all transatlantic and coastwise shipping interests in the port of New York, views with great alarm the proposal to abolish the revenue cutter service."

"The cost of this service annually is insignificant compared with the large number of lives and vast amount of vessel property and cargo at risk annually, and we therefore earnestly petition that this safeguard to our shipping be not withdrawn and that no change be made in its operation."

The personnel of the Revenue Cutter Service is at a high standard of efficiency, as will attest, and we believe that it would be most unwise to make any change that will take away from shipping that protection which the revenue cutter service now affords."

"The placing of this service in any other department, thereby putting it under the direction of those unfamiliar with its operations, would endanger both lives and property, and we therefore earnestly petition that no change be made in this important branch of our government."

In case this petition is not sufficient to assure the future of the service, the members of the Maritime Association plan to take further steps. They will meet at the Waldorf-Astoria Hotel on February 3. Among those who have accepted the invitations are Governor Dix and his staff, Mayor Gaynor and Rear Admiral Leavelle, and other prominent men.

Committee thinks will have some influence with the authorities, and several speeches on the value of the Revenue Cutter Service will be made at the meeting.

While the transatlantic steamship lines which are foreign owned are averse to making any public statements, the same feeling exists among them, and at least one Ambassador at Washington has been known to use his influence in behalf of shipping.

A case in which the revenue cutters were of service was pointed out yesterday by L. B. Stoddard, the head of Bowring & Co., of 17 Wall street, who are the agents for the Red Cross life saving line.

"I do not think that this commission of President Taft's meant any real action by their suggestion, nor do I think that the President does. I regard the whole matter as a move to run a campaign against it. It is not possible that sane men would abolish the service."

"Our company knows just how much it means to a vessel in distress, for about four years ago our steamship Sylvia ran into the rocks of the Sow and Pigs. She was a total loss and the lives of about one hundred passengers would have been seriously endangered had it not been for the heroic work of the revenue cutters, who acted by and took them all off safely and did not leave the vessel until the last possible chance for her recovery was gone."

In the Maritime Exchange hundreds of instances of the work of the cutters were brought up, and chief among them were the cases of the Republic disaster and the running aground of the North German Lloyd line steamship, Princess Irene off Fire Island. In both cases the cutters were the first relief vessels on the scene.

ity of certain patents issued to Thomas A. Edison, one of the most powerful men in the alleged trust. These patents were on certain parts of moving picture machines invented by Mr. Edison, as well as upon the films employed in the manufacture of the pictures. The licensed companies, such as the Edison, Biograph, Vitaphone, Selig Polyscope and Essanay, combined their interests in an attempt to prevent the sale of independent manufacturers using machines in which Edison patents were a feature, and a combination of the independents to protect their interests followed.

"The independent moving picture manufacturers are not alarmed at this decision," said Charles Baumann, president of the New York Motion Picture Company, of No. 251 West Nineteenth street, the organizer of the independent combination.

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Independent Manufacturers of Films Say They Will Carry Fight to Supreme Court.

The fight between the licensed moving picture manufacturers and the independent manufacturers for supremacy in the motion picture field, begun three years ago, reached an acute stage yesterday. A number of the leading independent manufacturers met and outlined a plan of action with a view to contesting the recent decision of Justice Wendell P. Stafford, of the Supreme Court of the District of Columbia, awarding judgment to the Motion Picture Patents Company against the Chicago Film Exchange, which on its face is a complete victory for the so-called moving picture trust. It was decided to appeal to the United States Supreme Court, the independent manufacturers making this their last stand against their competitors.

The contest between the rival moving picture factions is based upon the valid-

Say Congress Abolish Cutter Service

Representatives Do Not Look with Favor Upon the Report of President's Economy Commission—Would Rather Cut the Navy in Half, Says Georgia Statesman.

SERVICE GREAT AID TO VESSELS IN DISTRESS

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